

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

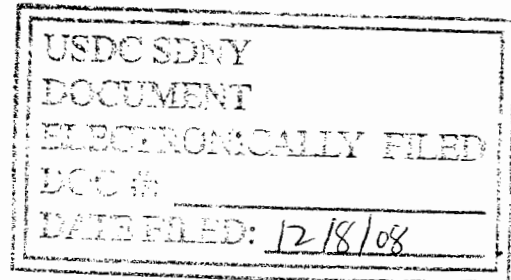
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DAVID COKELY, et al.,

Plaintiffs,

v.

THE NEW YORK CONVENTION CENTER
OPERATING CORPORATION d/b/a JACOB K.
JAVITS CONVENTION CENTER OF NEW
YORK, et al.

Defendants.
----- X



Civil Action No.: 00 Civ. 4637
(DAB) (AJP)

**ORDER APPROVING APPOINTMENT OF JUDICIAL OFFICER FOR THE REVIEW
CERTAIN COMPENSATORY DAMAGES CLAIMS AND DIRECTING THE
DISTRIBUTION OF RESIDUAL SETTLEMENT FUNDS AS BACK PAY**

To resolve the appeals of certain compensatory damages claims and distribute remaining funds through the three Back Pay Funds,

IT IS HEREBY ORDERED :

1. Pursuant to Section XIX.L.4.d. of the Consent Decree, the Monitor, Zachary Carter, Esq. is appointed as the Judicial Officer designated to review claimant appeals from the Claims Administrator's determination, on a abuse of discretion standard.

2. After the Judicial Officer has reviewed all of the appealed claims, he shall direct the Claims Administrator to make monetary distributions, if necessary, to those claimants from the compensatory damages fund.

3. Any remaining undistributed monies from the compensatory damages fund shall be added, in accordance with Section XIX. M. 2. of the Consent Decree to the back pay funds.

4. A diligent search having been made to locate next of kin and no next of kin having been located, any monies from the service awards identified in Section XIX. C. 4 and XIX. C. 5. of the Consent Decree earmarked for now deceased class members shall be added, in accordance with Section XIX. M. 2. of the Consent Decree to the back pay funds.

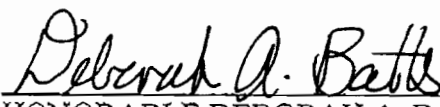
5. A diligent search having been made, any class members who could not be located by the Claims Administrator, shall be removed from the Class Member Distribution List prior to the final back pay distribution.

6. The Claims Administrator shall then distributed all monies in the three back pay funds, including any accrued interest after applicable taxes, to the claimants remaining on the Class Member Distribution List.

7. After this final distribution, funds related to any returned checks resulting from either the initial or final back pay distribution, where the recipient cannot be located after a diligent search, and stale or uncashed checks resulting from either the initial or final back pay distribution will be placed into the cy pres fund consistent with Section XIX. U. 1. of the Decree.

Dated: New York, NY

December 8, 2008


HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE